

1 BEFORE THE
2 ILLINOIS COMMERCE COMMISSION
3
4 IN THE MATTER OF:)
5)
6 BETTY JOHNSON)
7 -vs-)
8 PEOPLES GAS LIGHT AND COKE)
9 COMPANY)
10) No. 02-0452
11 Complaint as to overcharging)
12 and estimated bills in Chicago,)
13 Illinois.)
14 Chicago, Illinois
15 December 5, 2002
16
17 Met pursuant to notice at 10:00 a.m.
18
19
20
21 BEFORE:
22 MR. JOHN RILEY, Administrative Law Judge.
23
24
25 APPEARANCES:
26
27 MS. BETTY JOHNSON
28 3947 West Polk Street
29 Chicago, Illinois 60624
30 Appearing pro se;
31
32 MR. PETER BRIGIDA
33 130 East Randolph Drive
34 Chicago, Illinois 60601
35 Appearing for the Respondent.
36
37
38
39 SULLIVAN REPORTING COMPANY, by
40 Christine L. Kowalski, RPR, CSR

1		<u>I</u> <u>N</u> <u>D</u> <u>E</u> <u>X</u>			
2	<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u> <u>By Examiner</u>
3	(None.)				
4					
5					
6					
7		<u>E</u> <u>X</u> <u>H</u> <u>I</u> <u>B</u> <u>I</u> <u>T</u> <u>S</u>			
8	<u>Number</u>	<u>For Identification</u>			<u>In Evidence</u>
9	(None so marked.)				
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1 JUDGE RILEY: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call
3 Docket 02-0452. This is a complaint by Betty
4 Johnson versus Peoples Gas Light and Coke Company
5 with regard to overcharging and estimated bills in
6 Chicago, Illinois.

7 And, Ms. Johnson, I understand
8 you're still proceeding without an attorney at this
9 point; is that correct?

10 MS. BETTY JOHNSON: Yes.

11 JUDGE RILEY: All right. And would you state
12 your address for the record, please.

13 MS. BETTY JOHNSON: 3947 West Polk Street.

14 JUDGE RILEY: And that's in Chicago?

15 MS. BETTY JOHNSON: Chicago, Illinois.

16 JUDGE RILEY: Thank you, ma'am.

17 MS. BETTY JOHNSON: 60624.

18 JUDGE RILEY: Counsel for Peoples?

19 MR. BRIGIDA: Peter Brigida on behalf of the
20 Peoples Gas Light and Coke Company, 130 East
21 Randolph Drive, Chicago, Illinois 60601.

22 JUDGE RILEY: Thank you. And we had initially

1 been scheduled to go to hearing this morning, but I
2 received a motion from Peoples Gas.

3 Ms. Johnson, I don't know that you
4 got a copy of this or not.

5 MS. BETTY JOHNSON: (Nodding.)

6 JUDGE RILEY: You do have it?

7 MS. BETTY JOHNSON: Yes, I think so.

8 JUDGE RILEY: Okay. And it is a motion to compel
9 discovery -- Respondent's motion to compel discovery
10 insofar as Peoples Gas found your answers to the
11 data requests to be incomplete and insufficient. I
12 don't know how much longer we can go on like this.

13 Let me ask you this: When you
14 read the discovery request that you had been given
15 by Peoples Gas, did you understand the questions?

16 MS. BETTY JOHNSON: I thought I did.

17 JUDGE RILEY: When the data request says, Please
18 describe with particularity the type of appliance or
19 appliances that supplied heat to the Polk Street
20 address and its individual apartments from
21 January '95 through the present time, do you know
22 what response that Peoples is looking for?

1 MS. BETTY JOHNSON: Well, I thought hot water and
2 furnace. That's what furnish the heat.

3 JUDGE RILEY: So your answer to that would be
4 it's a furnace?

5 MS. BETTY JOHNSON: A furnace, yes.

6 JUDGE RILEY: What -- is Peoples looking for
7 something other than a furnace?

8 MR. BRIGIDA: Well, I think we're looking for the
9 furnace, the size, the location --

10 JUDGE RILEY: Right.

11 MR. BRIGIDA: -- the time period that it supplied
12 the heat.

13 JUDGE RILEY: Now, are these in subsequent
14 questions?

15 MR. BRIGIDA: Some of them are. But if you look
16 at the initial request, No. 1, that asks for
17 basically that information.

18 JUDGE RILEY: All right.

19 In other words, the location of
20 such appliance -- now, this is -- is it a gas
21 heater?

22 MS. BETTY JOHNSON: No, it's a furnace that's

1 heated -- ready with steam heat, and it's in the
2 basement, which I stated it was in the basement.

3 JUDGE RILEY: Okay. But is it fueled by natural
4 gas or coal or --

5 MS. BETTY JOHNSON: By natural gas.

6 JUDGE RILEY: Okay. That's what they're looking
7 for. And it's located in the basement?

8 MS. BETTY JOHNSON: Yes. And I thought I
9 answered that when I said "yes" when they said, Do
10 you use natural gas.

11 JUDGE RILEY: No, see, it says, Hot water tank on
12 furnace basement.

13 MS. BETTY JOHNSON: Hot water tank and furnace in
14 basement.

15 JUDGE RILEY: So that was like -- that was your
16 attempt to answer Questions 1 and 2?

17 MS. BETTY JOHNSON: Yes. It says, Please
18 describe appliances that supplies heat and hot
19 water.

20 JUDGE RILEY: So basically just the hot water
21 tank and the furnace are both located in the
22 basement?

1 MS. BETTY JOHNSON: Yes.

2 JUDGE RILEY: And have these always been the
3 appliances that have furnished the heat and the hot
4 water?

5 MS. BETTY JOHNSON: Yes.

6 JUDGE RILEY: How long have you lived at the
7 Polk Street address?

8 MS. BETTY JOHNSON: Oh, about 30 -- about 38
9 years.

10 JUDGE RILEY: Okay. So this has been your
11 continuous residence for a large part of your life
12 then?

13 MS. BETTY JOHNSON: Yes.

14 JUDGE RILEY: Okay. And these are the same hot
15 water tank and the same heater that --

16 MS. BETTY JOHNSON: It's not the same --

17 JUDGE RILEY: -- and the same furnace that have
18 furnished the heat and hot water for how long? How
19 long have these appliances been installed?

20 MS. BETTY JOHNSON: The furnace was installed
21 about '95. The hot water tank was installed, I
22 believe, last year. Last year, I believe.

1 JUDGE RILEY: I don't know, Counsel. Is that --
2 is this coming close to answering your questions?
3 MR. BRIGIDA: You know, she's answering parts of
4 it. But, again, you know, what I feel I'm entitled
5 to is full and complete answers in a hard copy
6 format.
7 JUDGE RILEY: Yeah.
8 MR. BRIGIDA: You know, and I can't work off of
9 what I have here.
10 JUDGE RILEY: I understand that, but I don't know
11 if you can get anything more than that in a hard
12 copy form. And what I'm saying is that we may just
13 have to answer the questions here. I don't know
14 what else we're going to be able to do.
15 MR. BRIGIDA: I don't think that's appropriate.
16 JUDGE RILEY: Well, I don't know what -- what
17 alternatives do we have? We're not...
18 Ms. Johnson, can you answer these
19 questions in a typewritten form any more elaborately
20 than you've already presented? I mean, we're at an
21 impasse here is what it appears to me. Let me close
22 that door.

1 Ms. Johnson, I do agree with
2 Peoples Gas to the extent that they're looking for
3 more elaborate answers than they have received from
4 you. And they do want some particularly detailed
5 answers.

6 Let's -- now, you skip from
7 Question 3 to 13.

8 MS. BETTY JOHNSON: Since they didn't apply, I
9 didn't think I needed to answer those.

10 JUDGE RILEY: Well, Question 8 says, Please
11 provide the name of all persons -- okay. What I'm
12 saying is that questions 4 through 7 only apply if
13 you had answered no to No. 3. But you answered yes
14 to No. 3 so they don't apply. I understand that.

15 But then Question 8 says, Please
16 provide the names of all persons who lived at
17 3947 West Polk Street including the individual
18 apartments and other units from January 1995 through
19 the present time.

20 MS. BETTY JOHNSON: And that's me.

21 JUDGE RILEY: Well, see, that's what you have to
22 say in your response to these discovery requests is

1 that you were the resident. Was there anyone else
2 living there at all?

3 MS. BETTY JOHNSON: No, not -- no, no one else
4 live with me.

5 JUDGE RILEY: Now, my question is, Is there more
6 than one apartment at 3947 West Polk Street?

7 MS. BETTY JOHNSON: Yes, there's two.

8 JUDGE RILEY: Okay. Has anyone else ever
9 occupied the other unit?

10 MS. BETTY JOHNSON: Yes.

11 JUDGE RILEY: From January '95 through the
12 present time?

13 MS. BETTY JOHNSON: Yes.

14 JUDGE RILEY: That's what Peoples Gas is asking
15 for. That question should have been answered in
16 writing. For each person named in response to
17 Question 8, please provide the individual apartment
18 or other unit at which that person lived. So was it
19 the upstairs, the down -- it's a two-flat, I
20 understand, right?

21 MS. BETTY JOHNSON: Yes.

22 JUDGE RILEY: Were they in the upper or the lower

1 unit? When did that person live at the apartment?
2 Do you have a lease or a rental document for that
3 person? And, if you know, the person's current
4 address and telephone number. Now, granted, you
5 know...

6 Please describe the type of
7 appliance or appliances that were used for cooking
8 purposes from January '95 through and including the
9 present. For each type of appliance, please list,
10 you know, where it was located. And then you say
11 the make, model, and energy source for such cooking
12 appliance.

13 MS. BETTY JOHNSON: Yes.

14 JUDGE RILEY: What kind of stove was it? Was it
15 a hot plate?

16 MS. BETTY JOHNSON: It's a electric stove, but
17 since -- these were only -- I thought he wanted to
18 know only the gas appliances that I use.

19 JUDGE RILEY: No, he's asking for -- see, this is
20 why we have discovery, is that he wants the
21 information. In other words, there's nothing in
22 here that says don't answer if it's not gas. He

1 wants to know what --

2 MS. BETTY JOHNSON: I thought I -- I'm sorry.

3 JUDGE RILEY: -- was in there, and yet there's no
4 response to No. 10 at all. There's no response to
5 No. 11. Please describe with particularity any work
6 that was done on the natural gas piping or building
7 appliances in any of the units from January 1995
8 through the present.

9 You're the -- are you the owner of
10 this two-flat?

11 MS. BETTY JOHNSON: Yes.

12 JUDGE RILEY: That's my understanding. Right.
13 No. 11 is very detailed, but as the landlady and as
14 the owner of the building, no work would be done
15 without your request and approval; is that correct?

16 MS. BETTY JOHNSON: There wasn't any done, no.

17 JUDGE RILEY: But then again, if there was no
18 such work on either the natural gas piping or the
19 building appliances, you're required to say so.
20 That's what they're asking for. If there was work
21 done, who did it, when was it done, and do you have
22 any of the paperwork associated? That's all they're

1 asking for.

2 They want all bills for natural
3 gas service accounts if you have them. They want
4 the list of all the payments. Okay. Now, 13 --
5 okay, it's my understanding that under No. 13 where
6 you've written -- you've got No. 1, No. 2, No. 3,
7 and then 5 through 8, there's no No. 4, then you go
8 6 and 8. I wonder if that should be 9 and 10.

9 But, again, that's very difficult
10 to follow. The numbers don't follow. Or are those
11 dates that I should be reading? Is that January of
12 '02? February of '02?

13 MS. BETTY JOHNSON: Yes. That's 1998, yes.

14 MR. BRIGIDA: I believe it's January 2nd.

15 JUDGE RILEY: January 2nd, February 2nd,
16 March 21, May 8, June 2, and August 24 then.

17 MS. BETTY JOHNSON: Yes.

18 JUDGE RILEY: Okay. There's no -- all right.

19 14, you've listed the payments,
20 but they wanted the method of payment and then the
21 account number. That's not down.

22 Counsel, with regard to No. 15,

1 wouldn't Peoples Gas have a record of any
2 correspondence received or sent to the Complainant?
3 MR. BRIGIDA: We should. But this answer -- this
4 is a standard request that we make so that at
5 hearing a Claimant simply can't state, I talked to
6 so and so on such and such a date and, you know.
7 JUDGE RILEY: All right.
8 MR. BRIGIDA: It's something I need to know,
9 especially if it's oral.
10 JUDGE RILEY: Okay. And I understand that.
11 And, Ms. Johnson, you're only
12 response is that there was a Mr. Kankal (phonetic)
13 on September 7?
14 MS. BETTY JOHNSON: Of 2000, yes.
15 JUDGE RILEY: And Ms. Pearson on October 9. And
16 this was in 2000?
17 MS. BETTY JOHNSON: Yes.
18 JUDGE RILEY: Okay. It doesn't even say 2000.
19 Oh, I'm sorry, yes, it does. And in 2001, it was a
20 Ms. Johnson February 6 and February 21 and
21 Ms. Robertson on January 26. And then you've got
22 the people listed on -- for 2002 and the dates.

1 No. 16 asks for, you know, what
2 was the conversation about, essentially is what they
3 need to know, and that's not answered. And then if
4 there are any tape recordings or any reports or
5 documents that you have with regard to the...

6 MS. BETTY JOHNSON: Yeah, but I thought it was
7 understood that the conversation was about my gas
8 bill.

9 MR. BRIGIDA: But what we're looking for is
10 specifically what was said.

11 JUDGE RILEY: This is exactly -- this is as well
12 as you can remember the content of the conversation.
13 What did you specifically talk about? Was it a
14 particular month involved? Was it -- you know, that
15 kind of thing. I realize this is a very -- I mean,
16 we've been over this before. This is a very
17 detailed request.

18 Although under No. 19, Counsel,
19 that's -- I'm very tempted to let her off the hook
20 on No. 19.

21 MR. BRIGIDA: Well --

22 JUDGE RILEY: That's a very difficult question

1 even for an attorney to answer.

2 MR. BRIGIDA: I think it's something we're
3 entitled to especially if --

4 JUDGE RILEY: Well, you say you're entitled to
5 it; but, again, for each section of any statute,
6 Administrative Code, Illinois Commerce Commission
7 rule or order, what access would she even have to
8 that?

9 MR. BRIGIDA: Well, that's something that's
10 supposed to be listed in her complaint, and if you
11 look at her complaint, it does not list it. And I
12 haven't -- you know, I haven't filed a motion to
13 dismiss on that basis. But, you know, on the front
14 of the complaint, it states in the space below, List
15 the specific section of law, Commission rules, or
16 utility tariffs that you think is involved with your
17 complaint.

18 Those sections that she's listed,
19 I believe, simply go to filing a complaint, not any
20 violation committed by Peoples Energy. And, again,
21 if I don't know the specific statute or section that
22 she's alleging that we violated, how can I respond?

1 How can I defend our company?

2 JUDGE RILEY: I'm going to keep a very open mind
3 with regard to Nos. 19, 20, and 21. But 1 through
4 18 -- Ms. Johnson, I don't know how to compel you
5 to -- I don't know if you can understand what it is
6 we're getting at here. They're looking for as much
7 detail as you can possibly provide them.

8 MS. BETTY JOHNSON: Okay.

9 JUDGE RILEY: And to the extent that they need it
10 to defend themselves, they are entitled to it.

11 MS. BETTY JOHNSON: Okay.

12 JUDGE RILEY: I don't think anything here is
13 unreasonable. Can you get help from anyone in
14 answering these questions?

15 MS. BETTY JOHNSON: I stated to Mr. Brigida on
16 the 21st when he called me. I first asked him to
17 tell me what question I didn't answer, and he said,
18 You have the discovery in front of you. And I said,
19 Yeah, but you said I didn't answer something.

20 Then I stated to him, I said,
21 Well, then, I'll get someone on the 2- -- someone on
22 the weekend to help me with it and I will send it to

1 you about Tuesday, which was the 26th. He said, No,
2 if I didn't have it to him by the 25th at 2:00
3 o'clock, which he stated in this that he sent me,
4 that he couldn't use it, it was too late.

5 And I asked -- I said, Well, I
6 sent this to you on the 4th and you asked me for it
7 on the 21st. If it wasn't right, why didn't I hear
8 from you before now? I'm not using an excuse, I
9 just -- I didn't understand it. But I will get
10 someone to help me fill it out. And I also
11 mentioned to him about 19, 20, 21. I told him I
12 don't understand, I didn't understand any of that.
13 These people don't help me. They don't understand
14 it either, I don't believe.

15 JUDGE RILEY: Well, I'm not sure where we go from
16 here. Again, we're at an impasse. Ms. Johnson, are
17 you under the impression that you have answered the
18 questions in this data request to the best of your
19 ability?

20 MS. BETTY JOHNSON: Like I said, I can get
21 someone to help me to answer them the way you said
22 they need to be. And did you say it need to be

1 typed out?

2 JUDGE RILEY: Well, not necessarily typed out,
3 but it just has to be a very full and complete
4 answer.

5 MS. BETTY JOHNSON: Okay.

6 JUDGE RILEY: And what you have submitted, I do
7 agree with Counsel that it is inadequate.

8 MS. BETTY JOHNSON: Okay.

9 JUDGE RILEY: With regard to questions at the
10 end, Questions 18 through 21, do the best you can
11 with those.

12 But, again, Counsel, I'm going to
13 keep a very open mind about her answers on those.

14 MR. BRIGIDA: Well, again, 18 specifically, I
15 believe, we're absolutely entitled to.

16 JUDGE RILEY: Well, but you're asking for legal
17 research here.

18 MR. BRIGIDA: Well, I think all I'm asking for is
19 what's required under a formal complaint which she
20 did not properly answer. You know, again, I think
21 quite honestly, I have a proper -- I could file a
22 proper motion to dismiss based on her responses on

1 the formal complaint. That I'm not doing simply
2 because I think it would be a waste of time and I'm
3 not here to harass her. But I do believe that we're
4 entitled to know which sections of the law or
5 Commission rules that we violated.

6 JUDGE RILEY: And if a pro se Complainant cannot
7 tell you that, then I don't -- well, I'm not going
8 to get into it any further.

9 It is your position that these
10 questions cannot be answered verbally here and now;
11 is that correct?

12 MR. BRIGIDA: No, I won't accept that. I mean,
13 that's -- I need something in written format.

14 JUDGE RILEY: And plus you want the documentation
15 that's requested?

16 MR. BRIGIDA: Absolutely.

17 JUDGE RILEY: Ms. Johnson, what you have to do is
18 go over these questions one by one and try and
19 submit the most comprehensive answer that you can.
20 Do you have copies of the Peoples Gas bills from
21 months and years past?

22 MS. BETTY JOHNSON: I have some.

1 JUDGE RILEY: Some, okay. Keep those together
2 and provide -- and make copies of them as much as
3 you can. But go over these questions one at a time?
4 Did you submit this data request
5 by our last -- at our last status?
6 MR. BRIGIDA: I submitted it by mail.
7 JUDGE RILEY: Okay. So we haven't gone over
8 these before, have we?
9 MR. BRIGIDA: You --
10 MS. BETTY JOHNSON: No.
11 MR. BRIGIDA: She's presented them to you before
12 and you've looked at them before, yes.
13 JUDGE RILEY: Okay. Well, this is the second
14 time we've done this and we've just lost six more or
15 seven more weeks. I'll give it one more chance.
16 And like I said, it's an impasse. You cannot defend
17 yourself, you cannot defend your client without the
18 answers to these questions, I understand that.
19 Ms. Johnson, what I'm worried
20 about is that you're not going to be able to answer
21 these questions to Peoples Gas's satisfaction.
22 MS. BETTY JOHNSON: I will -- like I said, I will

1 get someone and I will submit them and then, you
2 know -- and if I hand deliver them to him --

3 JUDGE RILEY: Right okay. But like I say, there
4 are just whole sections of this thing that aren't
5 answered at all. Questions 8 through 12 look like
6 they were just ignored. 14 wasn't answered and 16
7 through the end weren't answered. And it's obvious
8 that -- on Question 15, you did talk to a number of
9 people a number of times at Peoples Gas.

10 And then Question 16 says if the
11 answer to No. 15 is yes, then what was the date of
12 the contact, the name of the person, and what was
13 the conversation about.

14 MS. BETTY JOHNSON: On 15, I -- I put that there
15 I had the peoples' names.

16 JUDGE RILEY: You've got the names and the dates;
17 but then under No. 16 -- see, the answer to No. 15
18 is yes. Did you receive or make any calls or have
19 any conversations, receive any correspondence? So
20 the answer to 15 would simply be yes, you had phone
21 calls, you had phone conversations with people at
22 Peoples Gas.

1 The answer to No. 16 is, I had
2 conversations on these dates with these people and
3 we talked about and whatever the -- whatever the
4 conversation was about. And you say it was with
5 regard to your gas bill. Could you be any more
6 specific about what you said about your gas bill and
7 what did Peoples Gas say about you? This is the
8 kind of detail he's asking you to go into. And I
9 know it's going to involve a lot of recall.

10 MS. BETTY JOHNSON: Yeah.

11 JUDGE RILEY: But like I say, I'll give this one
12 more attempt. Again, he wants -- they want records
13 and, you know, copies of all the documents you've
14 got, that kind of thing. They are entitled to it.

15 MS. BETTY JOHNSON: Okay.

16 JUDGE RILEY: I'm going to set another date for
17 hearing. And quite frankly, I'm not disposed to set
18 another date beyond that. I think this is going to
19 be our last attempt at this thing. These questions
20 have to be answered. And again, I'm going to have
21 to give her enough time.

22 MR. BRIGIDA: Sure.

1 JUDGE RILEY: With the holidays coming up, I
2 don't think an awful lot is going to get done. But,
3 you know, there's still over three weeks until the
4 end of December. Look at Thursday, January 16th.
5 That's another five weeks. Is that possible for all
6 parties?

7 MS. BETTY JOHNSON: Yes.

8 MR. BRIGIDA: To have a hearing?

9 JUDGE RILEY: For a hearing.

10 MR. BRIGIDA: And what would the date of her
11 response be?

12 JUDGE RILEY: Well, that's another thing.
13 Assuming that you get the answers that you want,
14 what -- how much time would you need to prepare?

15 MR. BRIGIDA: I would say a minimum of two weeks.

16 JUDGE RILEY: All right. We may have to even set
17 it farther back then. Yeah, see, that takes us to
18 Friday the 3rd for a response and that takes you
19 right through the holidays. My question is, can you
20 get the responses to Peoples Gas?

21 MS. BETTY JOHNSON: By when?

22 JUDGE RILEY: By January 3rd. Now, if you can't,

1 if you need more time than that, please say so.

2 MS. BETTY JOHNSON: Yes, I can get it to them.

3 JUDGE RILEY: You can do that by January 3rd?

4 MS. BETTY JOHNSON: Yes.

5 JUDGE RILEY: Okay.

6 Now, is there any information that

7 you need from Peoples Gas?

8 MS. BETTY JOHNSON: I think I have everything,

9 and I thought they had everything from me because it

10 all come from them.

11 JUDGE RILEY: Okay.

12 MS. BETTY JOHNSON: And I have a question. If

13 it's something that I want to send to you, do I send

14 it to you or do I send it through it City Clerk?

15 JUDGE RILEY: Not through the City Clerk.

16 What -- do you have anything specific that you were

17 thinking? In other words, it wouldn't be

18 appropriate at this point to send anything to me.

19 MS. BETTY JOHNSON: Oh.

20 JUDGE RILEY: We wouldn't be doing that until we

21 came to hearing. What was it that you --

22 MS. BETTY JOHNSON: Well, I wanted to introduce

1 this again because as I said my service -- this is
2 the same that I introduced to you on the 7th and the
3 28th -- 21st. And my service was cut off a day
4 after.

5 JUDGE RILEY: Again, this is another issue that I
6 can't get into with regard to the actual cutoff with
7 service. What Peoples is saying -- what the rules
8 provide for is that the portion of the bill that
9 you're disputing, that amount is -- the
10 collectability of that amount is frozen. They're
11 not going to -- that is not required to be paid
12 until there's a disposition of this case. Anything
13 else that you're billed for, any other usage, has to
14 be paid. That's the problem.

15 MS. BETTY JOHNSON: But the last two hearings,
16 the 7th as well as the 21st, I stated that I paid
17 the part that I -- that I didn't dispute, which was
18 four months.

19 And then after you called me on
20 the 7th, after the hearing and talked with both of
21 us and set up another meeting for the 21st for me to
22 introduce those bills, which is the bills that I

1 introduced at that particular time -- and
2 Mr. Brigida stated that I hadn't paid and I stated
3 on the 21st that I had paid four months.

4 And so I paid the amount that I
5 didn't dispute, so I thought that was -- and I
6 didn't get a final notice saying how much that I had
7 to pay in order for the service -- you know, before
8 it's going to be cut off.

9 JUDGE RILEY: First of all, that would be
10 appropriate to present to me at hearing --

11 MS. BETTY JOHNSON: At hearing?

12 JUDGE RILEY: -- when we actually sit down in a
13 hearing session.

14 MS. BETTY JOHNSON: Well, you told me to bring it
15 back on the 5th.

16 JUDGE RILEY: So keep those with you and bring
17 those with you.

18 MS. BETTY JOHNSON: Okay. And do I have --
19 should I send this to Mr. Brigida as well?

20 JUDGE RILEY: I think that -- I do believe that's
21 part of what he's looking for, that's right.

22 MS. BETTY JOHNSON: Okay.

1 JUDGE RILEY: But whatever help -- whatever
2 assistance you can get in answering these questions
3 that are in this motion -- what they call this
4 discovery, please get that and get it just as fully
5 and as detailed as you can.

6 MS. BETTY JOHNSON: Okay.

7 JUDGE RILEY: And you said again that you feel
8 that you have everything from Peoples Gas that you
9 need to present your case?

10 MS. BETTY JOHNSON: I think so. But if not, can
11 I request it before the 3rd? I don't think I need
12 anything --

13 JUDGE RILEY: Well, if anything comes up, let me
14 know. We'll get in touch with Mr. Brigida and we
15 can discuss it at that time.

16 MS. BETTY JOHNSON: Okay. I write you to request
17 it or call you?

18 JUDGE RILEY: You can send it in writing to me,
19 yes.

20 MS. BETTY JOHNSON: Okay.

21 JUDGE RILEY: Quite frankly, the request should
22 be made to our Clerk's Office in Springfield and

1 they would send a copy of that up to me.

2 MS. BETTY JOHNSON: Okay.

3 JUDGE RILEY: And I would treat that as a motion
4 to compel discovery on your part.

5 MS. BETTY JOHNSON: Oh, okay.

6 JUDGE RILEY: You know, the same way that Peoples
7 Gas has just done it. And you should have the
8 address of our Clerk's Office because that's where
9 you filed your original complaint.

10 MS. BETTY JOHNSON: Yes.

11 JUDGE RILEY: So with regard to your motion,
12 Counsel, it is granted, the motion to compel
13 discovery.

14 And just to recap for the record,
15 we have advised -- the ALJ has advised the
16 Complainant to make another attempt to comply with
17 the discovery request in as much detail as is
18 possible, furnishing all descriptions, documents,
19 everything that these questions ask for.

20 You have said you are going to
21 seek assistance --

22 MS. BETTY JOHNSON: Yes.

1 JUDGE RILEY: -- in getting these questions
2 answered and sent to Mr. Brigida at Peoples.

3 MS. BETTY JOHNSON: Okay.

4 JUDGE RILEY: And you say that you will not have
5 any difficulty doing that by January 3rd of this
6 year?

7 MS. BETTY JOHNSON: No.

8 JUDGE RILEY: Oh, I'm sorry, next year.

9 MS. BETTY JOHNSON: I will have no problems, no.

10 JUDGE RILEY: Okay. So you can meet the deadline
11 of January 3rd without any difficulty?

12 MS. BETTY JOHNSON: Mm-hmm.

13 JUDGE RILEY: All right. Okay. We'll try it
14 again. But I do want to admonish the parties that I
15 am going to -- I have set January 16, at 10:00 a.m.,
16 by the way, for hearing.

17 And I do fully intend to proceed
18 to hearing at that time. I really am not inclined
19 to grant any more continuances in this matter.

20 MR. BRIGIDA: I agree with no more continuances,
21 but depending on what her response is --

22 JUDGE RILEY: I realize that. I'm fully aware of

1 that, too.

2 MR. BRIGIDA: -- I may have other motions.

3 JUDGE RILEY: That's understood, most certainly.

4 So let's see how we do on these responses. And if

5 Peoples Gas is satisfied, then we can go to hearing

6 on your complaint.

7 MS. BETTY JOHNSON: Okay. And when I send to

8 Mr. Brigida, should I also send it to you?

9 JUDGE RILEY: No. No, those are his discovery

10 requests. Just send them to him. Just go straight

11 to him.

12 MS. BETTY JOHNSON: Okay.

13 JUDGE RILEY: And that, again, is 10:00 a.m. for

14 the hearing on January 16. All right. Was there

15 anything else?

16 MR. BRIGIDA: The only other matter is --

17 actually, I think we've dealt with that. That's

18 fine. Nothing else, sir.

19 JUDGE RILEY: All right. Then we will reconvene

20 on January 16 and we will go to hearing at that

21 time.

22 Thank you very much.

1 MS. BETTY JOHNSON: Okay. Thank you.

2 MR. BRIGIDA: Thank you.

3 (Whereupon, further proceedings
4 in the above-entitled matter
5 were continued to
6 January 16, 2003 at 10:00 a.m.)

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